

REMARKS

The Office Action dated June 3, 2004 has been reviewed and carefully considered. Claims 1-13 remain pending, of which the independent claims are 1, 5 and 9. Claims 1 and 3 have been amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-13 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,966,652 to Coad et al. ("Coad").

Claim 5 recites, "forwarding said selected optional response message back to said sending party via said SMS channel."

Coad, "converts the selected text data portion into a dialable telephone number" (col. 11, lines 2-3) and establishing communications (col. 11, lines 13(14)-16(17)), but does not disclose or suggest, "forwarding said selected optional response message back to said sending party via said SMS channel."

For at least this reason, Coad fails to anticipate the invention as recited in claim 5. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 9 likewise recites the same above-quoted language, and is deemed to be patentable over Coad for at least the same reason. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 1, as amended, recites:

establishing an SMS call connection with said receiving party;

forwarding said text message with said optional response messages to said receiving party over said call connection; and

receiving from the receiving party a return of one of said optional response messages.

Support for the amendment of claim 1 is found in the specification (e.g., page 3, lines 9-18; page 10, lines 17-19).

In Coad, by contrast, the receiving party extracts text portions for conversion into respective dialable telephone number digits and, in response to a choice by the user, transmits the digits in a conventional manner (col. 8, line 20) to establish communications. That transmission is not “a return of one of said optional response messages” as required by the language of claim 1 as amended. Support for the amendment of claim 1 is found in the specification (e.g., page 9, lines 17-18; page 10, lines 17-19).

For at least this reason, Coad fails to anticipate the invention as recited in claim 1.

Claim 3 depends from claim 1 and is patentable over Coad for at least this reason. Additionally, claim 3 further recites, “a message of said optional response messages transmitted back to said sending party includes a call-back number provided by said receiving party.” Support for the amendment of claim 3 is found in the specification (e.g., page 9, lines 14-16).

In Coad, by contrast, a call-back number is provided by the sending party for selection by the receiving party, but that number is not provided by the receiving party or sent back to the sending party. For this reason too, claim 3 is patentable over Coad.

As to the other rejected claims, each depends from a base claim and is deemed to distinguish patentably over Coad at least due to its dependency.

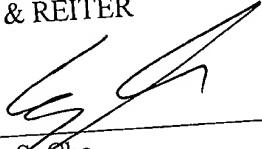
For all of the foregoing reasons, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is respectfully solicited.

Serial No. 09/769,996
Attorney Docket No. 5000-1-156

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly telephone the undersigned at the telephone number listed below. If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,
CHA & REITER

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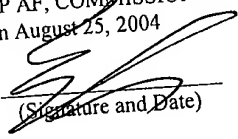
Date: August 25, 2004

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